



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/682,554	10/10/2003	Hideki Nagatsuka	056203.51548C1	9463
23911	7590	09/18/2006	EXAMINER	
CROWELL & MORING LLP INTELLECTUAL PROPERTY GROUP P.O. BOX 14300 WASHINGTON, DC 20044-4300			HARTMAN JR, RONALD D	
			ART UNIT	PAPER NUMBER
			2121	

DATE MAILED: 09/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/682,554

Applicant(s)

NAGATSUKA ET AL.

Examiner

Ronald D. Hartman Jr.

Art Unit

2121

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) ☒ Notice of References Cited (PTO-892) | 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) ☐ Notice of Informal Patent Application |
| 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) ☐ Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oberg et al., U.S. Patent Application No. 2003/0061295 A1, in view of Official Notice.

As per claims 10-13, Oberg et al. teaches an apparatus (e.g. system) for operating power plant equipment, of a power plant worksite, through a network by a remote control signal through wireless communication from the power plant worksite, the apparatus comprising:

- a mobile operation terminal for inputting a signal of a requested operation (e.g. a command or instruction) of the power plant equipment and generating a radio wave signal of the input signal, the operation terminal being movable to an optional point of possible moving routes thereof at the power plant worksite (e.g. a mobile device, Figure 1 element 102, communicating wirelessly, element 104, with any one of a plurality of wireless access points, elements 106, located around the facility);
- a plurality of wireless transceivers (receiver-transmitters) located in the power plant worksite, with each of the transceivers being located at a respective appropriate point of the route in order for wireless communication with the mobile operation terminal by the generated radio wave (e.g. corresponds to the multiple wireless access points located around the facility, already addressed above);
- a control device (e.g. inherent to Figure 1 element 120) connected to the power plant equipment (e.g. Figure 1 element 120) and connected to the wireless transceivers and an operation device in a central control room via the network (e.g. inherent to Figure 1 element 118), wherein the requested operation of the power plant equipment is

effected under control of the control device enabled with a control signal transmitted from one of the wireless transceivers enabled with its receipt of the radio wave signal generated by the mobile operation terminal (e.g. corresponds to the mobile device issuing a command to the process section through utilization of the wireless access points, the control system interface and the central control system, see Figure 1), wherein operation of the power plant equipment is monitorable by the mobile operation terminal in a timely and immediate manner without contact with the central control room (e.g. [0014] “directly”), the operation device in the central control room is operatively configured to electrically connect to the wireless transceivers via the network to establish communication between the operation device and the mobile operation terminal through the network and the wireless transceiver (e.g. corresponds to the central control system communicatively coupled to the wireless access points which receive data from the mobile device, Figure 1), said mobile operation terminal is operatively configured to issue an alternative to an operation request, issued by the operation device, to said control device through the wireless transceiver and the network to operate the power plant equipment without making contact with the central control room (e.g. as best understood, once again this feature appears to correspond to directly communicating a mobile device with the process control section (e.g. [0014]; also it is noted that [0005] speaks to a central control room for use in typical industrial plants).

As per claims 10-13, Oberg et al. does not explicitly teach the operation device in the central control room being operatively configured to *display* state information concerning the alternative operation request issued by the mobile operation terminal *on a screen* of the operation device. However, since Oberg et al. teaches the central control room (e.g. the central control system) centrally controlling and monitoring operations of the plant (e.g. [0005]) it stands to reason that these monitored operations would be most likely be displayed in some manner so that an operator at the central control site could keep an eye on the operations of the plant. For this reason, Official

Notice is taken with respect to this feature, that is, displaying information on a display of the central control room.

The applicant's attention is directed towards Nigawara et al., U.S. Patent No. 5,258,652 which clearly and explicitly teaches the utilization of such a system. Further, since the purpose of the display is to graphically depict current operations of the plant (e.g. status of the plant), it further stands to reason that when an operation or command is initiated by the mobile device, which has the affect of changing some aspect of the overall operations of the plant, the affect of these changes would be graphically presented on the display screen of the central control room so that an operator would know what the new current state of the system is.

Claims 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oberg et al., U.S. Patent Application No. 2003/0061295 A1, in view of Official Notice, as applied to claims 12 and 13 above, in further view of Nixon et al., U.S. Patent Application No. 2002/0130846.

As per claims 14-15, Oberg et al. does not specifically teach the mobile terminal displaying the same information that is displayed in the central control room.

Nixon et al. teaches this feature (e.g. [0051]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the teachings of Nixon et al. into the system disclosed by Oberg et al. so that now matter which display was being reviewed, that is, the mobile devices display or the display of the central control room, the same information would be graphically depicted. This would have the affect of forming a more efficient system of power plant monitoring and control since an operator can effectively manage the system from with the central control room or by using the mobile control device, and this would have been obvious to one of ordinary skill in the art at the time the invention was made.

Response to Arguments

Applicant's arguments with respect to claims 10-15 have been considered but are moot in view of the new ground(s) of rejection as set forth above in this office action.

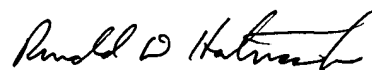
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald D. Hartman Jr. whose telephone number is (571) 272-3684. The examiner can normally be reached on Mon.-Fri., 11:00 - 8:30 pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on (571) 272-3687. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ronald D Hartman Jr.
Patent Examiner
Art Unit 2121



September 12, 2006

RDH

XROH